

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**William H. Minney
Tammy J. Minney
fka Tammy J. Comley-Bryan**
Debtor(s)

Bankruptcy Case No.: 13-20820-JAD
Per August 11, 2016 proceeding
Chapter: 13
Docket No.: 113 – 100, 107
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 6, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Chartiers Houston H&L Tax (Claim No. 15) .
- ☒ H. Additional Terms: Chartiers Houston EIT (Claim No. 14) shall be paid per plan to fund additional years.

A fee application is needed if any fee, including retainer, exceeds \$3,700, including any fees paid to prior counsel

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: August 16, 2016

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
William H. Minney
Tammy J. Minney
DebtorsCase No. 13-20820-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
Form ID: 149Page 1 of 2
Total Noticed: 33

Date Rcvd: Aug 16, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 18, 2016.

db/jdb
cr +William H. Minney, Tammy J. Minney, 237 Valley Road, Canonsburg, PA 15317-9524
+Equitable Gas Bankruptcy Department, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor,
Pittsburgh, PA 15212-5860
cr +OCWEN LOAN SERVICING, LLC, Stern & Eisenberg, PC, 1581 Main Street, Suite 200,
Warrington, Pa 18976-3400
cr +Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 225 North Shore Drive,
Pittsburgh, PA 15212-5861
cr #+SELECT PORTFOLIO SERVICING, INC, 3815 South West Temple, Salt Lake City, UT 84115-4412
cr +Southern Auto, 6700 N. Andrews Ave., Ste 500, Ft. Lauderdale, FL 33309-2204
13578417 +Am Std Asst, 100 Cambridge St., Suite 1600, Boston, MA 02114-2518
13578419 +Cb Accts Inc / UPP univ of PGH, 124 Sw Adams St. Suite 215, Peoria, IL 61602-2321
13613699 +Char-Houston Sch. Dist./Chartiers Twp., c/o PA Municipal Service Co.,
336 Delaware Ave., Dept. W-12, Oakmont, PA 15139-2138
13709510 +Chartiers Twp. Hydrant & Light, c/o PAMS, 336 Delaware Ave., Oakmont, PA 15139-2138
13578421 +Domestic Relations, 29 West Cherry Ave, Suite 311, Washington, PA 15301-6807
13657910 ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
13937588 +HSBC Bank USA, National Association, as, Serviced by Select Portfolio Servicing,,
3815 South West Temple, Salt Lake City, UT 84115-4412
13578424 +Nco Fin /99 / Progressive Insurance, Po Box 15636, Wilmington, DE 19850-5636
13578425 +Nco Fin/55 / UPMC St. Margaret, Pob 15270, Wilmington, DE 19850-5270
13914841 OCWEN LOAN SERVICING, LLC, ATTN: BANKRUPTCY DEPARTMENT, P.O. BOX 24605,
WEST PALM BEACH, FLORIDA 33416-4605
13659018 +UPP-University of Pittsburgh, c/o Convergent Healthcare Recoveries, PO Box 1289,
Peoria, IL 61654-1289
13696991 US Department of Education, PO BOX 16448, St Paul MN 55116-0448
13578427 +USA, 411 7th Avenue, 5th Floor, Pittsburgh, PA 15219-1919

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13578416 +E-mail/Text: EBNProcessing@afni.com Aug 17 2016 01:33:12 Afni, Inc. / Verizon,
Attn: Bankruptcy, Po Box 3097, Bloomington, IL 61702-3097
13578418 +E-mail/Text: bankruptcy@tebofinancial.com Aug 17 2016 01:32:49 Atlantic Fin,
4801 Dressler Rd. Nw, Suite 194, Canton, OH 44718-3669
14262034 +E-mail/Text: bankruptcy@consumerportfolio.com Aug 17 2016 01:33:15
CONSUMER PORTFOLIO SERVICES, INC., P.O. BOX 57071, IRVINE, CA 92619-7071
14254043 +E-mail/Text: bankruptcy@consumerportfolio.com Aug 17 2016 01:33:16
Consumer Portfolio Services, Inc., P.O. Box 98705, Phoenix, AZ 85038-0705
13578422 +E-mail/Text: bknotice@erccollections.com Aug 17 2016 01:33:10
Enhanced Recovery / Dish Network, Attention: Client Services, 8014 Bayberry Rd,
Jacksonville, FL 32256-7412
13578423 +E-mail/Text: cio.bncmail@irs.gov Aug 17 2016 01:32:46 Internal Revenue Service,
P.O. Box 7346, Philadelphia, PA 19101-7346
13650884 E-mail/Text: JCAP_BNC_Notices@jcap.com Aug 17 2016 01:33:16 Jefferson Capital Systems LLC,
PO BOX 7999, SAINT CLOUD MN 56302-9617
13668050 E-mail/PDF: resurgentbknofications@resurgent.com Aug 17 2016 01:29:41
LVNV Funding, LLC its successors and assigns as, assignee of North Star Capital,
Acquisition LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
13591136 E-mail/Text: blegal@phfa.org Aug 17 2016 01:33:09 PHFA/HEMAP, 211 NORTH FRONT ST,
PO BOX 8029, HARRISBURG, PA 17105
13582191 +E-mail/Text: bankruptcy@cavps.com Aug 17 2016 01:33:19 Precision Recovery Analytics, Inc,
c/o Cavalry Advisory Services, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
13623903 E-mail/Text: bnc-quantum@quantum3group.com Aug 17 2016 01:32:51
Quantum3 Group LLC as agent for, Elite Recovery Acquisitions LLC, PO Box 788,
Kirkland, WA 98083-0788
13656615 E-mail/Text: bnc-quantum@quantum3group.com Aug 17 2016 01:32:50
Quantum3 Group LLC as agent for, Collins Asset Group, PO Box 788,
Kirkland, WA 98083-0788
13623902 E-mail/Text: bnc-quantum@quantum3group.com Aug 17 2016 01:32:51
Quantum3 Group LLC as agent for, Galaxy Asset Purchasing LLC, PO Box 788,
Kirkland, WA 98083-0788
13584335 +E-mail/Text: bankruptcy@tebofinancial.com Aug 17 2016 01:32:50 TEBO FINANCIAL SERVICES,
4801 DRESSLER RD. NW, SUITE 194, CANTON, OHIO 44718-3669

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr HSBC Bank USA, National Association, as Trustee of
cr Select Portfolio Servicing Inc. as servicing agent
13578426 PA Housing Fin. Agency, 2101 North Front Street

District/off: 0315-2

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 33

Date Rcvd: Aug 16, 2016

13613698* +Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346
13578420 ##+Chase, 10790 Rancho Bernardo Rd, San Diego, CA 92127-5705

TOTALS: 3, * 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 18, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 16, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor HSBC Bank USA, National Association, as Trustee of the First NLC Trust 2005-4, Mortgage-Backed Certificates, Series 2005-4 agornall@goldbecklaw.com, bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com
Danielle Boyle-Ebersole on behalf of Creditor Select Portfolio Servicing Inc. as servicing agent for HSBC Bank USA, National Association, as Trustee for First NLC Trust 2005-4 Mortgage-Backed Certificates, Series 2005-4 debersole@hoflawgroup.com, bbleming@hoflawgroup.com
David A. Rice on behalf of Joint Debtor Tammy J. Minney ricelawl@verizon.net, lowdenscott@gmail.com
David A. Rice on behalf of Debtor William H. Minney ricelawl@verizon.net, lowdenscott@gmail.com
Leslie J. Rase, Esq. on behalf of Creditor OCWEN LOAN SERVICING, LLC lrased@sterneisenberg.com, ddelvecchio@sterneisenberg.com/dbogucki@sterneisenberg.com
Matthew Christian Waldt on behalf of Creditor Select Portfolio Servicing Inc. as servicing agent for HSBC Bank USA, National Association, as Trustee for First NLC Trust 2005-4 Mortgage-Backed Certificates, Series 2005-4 mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com, Equitablebankruptcy@peoples-gas.com/srk@sjwpgh.com
S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpgh.com, Equitablebankruptcy@peoples-gas.com/srk@sjwpgh.com
Scott R. Lowden on behalf of Debtor William H. Minney niclowlgl@comcast.net
Scott R. Lowden on behalf of Joint Debtor Tammy J. Minney niclowlgl@comcast.net

TOTAL: 12